

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Tsuda et al.**

Serial No. **10/056,106**

Filed: **January 25, 2002**

For: **Workflow System and Method  
With Skip Function**

§  
§  
§  
§  
§  
§  
§

Group Art Unit: **3623**

Examiner: **Kalyan K. Deshpande**

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**36736**  
PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

**REPLY BRIEF (37 C.F.R. 41.41)**

This Reply Brief is submitted in response to the Examiner's Answer mailed on July 11, 2007.

No fees are believed to be required to file a Reply Brief. If any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461.

## **RESPONSE TO EXAMINER'S ANSWER**

This Reply Brief is filed to address the issues raised by the Examiner in the Answer mailed July 11, 2007.

In the Examiner's Answer, on page 19, lines 10-20, the Examiner stated: "1) The recited claim language fails to require a teaching of 'executing skipped steps'. Claim 7 recites '...workflow definitions being designed to define a workflow that includes nodes that *may* be skipped and recovery nodes, the recover nodes indicating points in the workflow where skipped nodes are executed' (emphasis added). The explicit language of this claim dictates that the workflow may or may not have skipped nodes, thus a workflow in the present invention may not have any skipped nodes. Since a workflow can be created without any skipped nodes, a specific teaching of a workflow with skipped nodes is not necessary. Independent claims 1, 10, 13, and 19 explicitly recite that the skip step may occur. Independent claims 3, 5, 16, and 20 are construed in the same manner as dictated by the skip processing functionality described in pages 18 and 19 of the Specification."

Applicants' claim 7 recites: "said workflow definitions being designed to define a workflow that includes nodes that may be skipped and recovery nodes, the recovery nodes indicating points in the workflow where skipped nodes are executed." The Examiner states that the explicit language of the claim dictates that the workflow may or may not have skipped nodes, and thus a workflow may not have skipped nodes. The Examiner also states that since a workflow can be created without any skipped nodes, a specific teaching of a workflow with skipped nodes is not necessary. Applicants respectfully submit that this is a misreading of the explicit claim language. Applicants' claim requires "nodes that may be skipped" to be included in the defined workflow.

Applicants' claim 7 recites: "workflow definitions being designed to define a workflow that includes nodes that may be skipped and recovery nodes, the recovery nodes indicating points in the workflow where skipped nodes are executed". Thus, the workflow is defined to include two things: (1) nodes that may be skipped, and (2) recovery nodes that indicate points in the workflow where skipped nodes are executed. Regardless of whether steps are or are not skipped when the workflow is actually executed, the definition of the workflow must include both nodes

that may be skipped, and recovery nodes that indicate points in the workflow where skipped nodes are executed.

Therefore, in order for *DeFrancesco* to anticipate Applicants' claim 7, *DeFrancesco* must teach points in the workflow where skipped nodes are executed. *DeFrancesco* does not teach this. *DeFrancesco* does not teach the possibility that skipped steps are executed. *DeFrancesco* does not teach defining a workflow that includes recovery nodes that indicate points in the workflow where skipped nodes are executed.

In the Examiner's Answer, beginning on page 19, line 21, the Examiner asserts that *DeFrancesco* teaches executing skipped steps. Applicants respectfully disagree.

On page 20, lines 4-8, the Examiner states: "If either test fails for an exception step, the step receives a status of incomplete (column 13, lines 42-44). This status will prompt attention from a user to perform some required action (see column 13 lines 44-45). Once the user action is performed, the steps are then re-executed (see column 13 lines 44-46)." [Emphasis added] On page 20, lines 10-11, the Examiner states: "Appellants in their arguments are improperly interchanging the terms 'test' and 'skip'." Appellants note that *DeFrancesco* teaches re-executing tests, not steps.

If the process step is of the type exception 414, the completion and skip tests 422 are the same. Accordingly, the rules 412 associated with an exception step are both the skip and completion rules. Thus, for exception steps, if at least one of the rules fail, an exception is indicated and the status 416 for the step is incomplete. This will prompt attention from a user, that action is required to complete the process step. Once the user performs the required action, these tests will be executed again. If at that time, all of the tests pass, the step will be tagged with a complete status. If all of the tests for an exception step pass the first time through, there is no exception and the rule is skipped. The status 416 for a skipped exception rule is non-applicable (N/A).

[Emphasis added]

*DeFrancesco*, column 13, lines 39-51.

Appellants respectfully note that the Examiner has interchanged the terms "test" and "skip". *DeFrancesco* teaches executing the tests again, not the steps.

In the Examiner's Action, page 20, lines 16-20, the Examiner states: "DeFrancesco teaches that if a parent step is found to have a child step, the parent step is skipped until all of the

child steps have been executed (see column 15, lines 20-29). Upon completion of the dependent child steps, the skipped parent step is then executed (see column 15, lines 20-29).” Appellants respectfully disagree that *DeFrancesco* teaches this.

*DeFrancesco* teaches:

If step 912 determines that the process step is not collateral specific, control passes to step 914. In step 914, the method searches for a child step whose parent is ‘ThisStep’ and does not follow another step. That is, the method looks for a child step that does not depend on another step being completed. If such a step is found, this process INITIALIZESTEP is recursively called for the child step. If there is no such child step, control passes to step 918 where the child step is noticed by the workflow management system and method ends, as indicated by step 920.

*DeFrancesco*, column 15, lines 20-30.

The passage of *DeFrancesco* reproduced above does not teach skipping parent steps. *DeFrancesco* teaches searching for child steps. It does not teach skipping the parent steps from which the child steps depend. In fact, parent steps are not evaluated until after child steps are evaluated. *DeFrancesco* teaches:

The NOTICE method 508 (described in detail below), essentially adds process steps to an internal list maintained by the workflow management system referred to herein as the ‘processList’. Accordingly, the internal processList comprises a list of active process steps that need to be evaluated by the workflow management system of the present invention. It should be noted that the processList is an ordered list according to the hierarchy of the process steps. In this fashion, child steps are automatically evaluated before parent steps. This avoids the scenario of evaluating a parent step before a child step, and then having to immediately re-evaluate the parent step a second time, because the child step was just evaluated.

*DeFrancesco*, column 11, lines 11-24.

Therefore, the portion of *DeFrancesco* referred to by the Examiner does not teach skipping parent steps until the child steps of executed, and then executing skipped parent steps. The parent steps are not evaluated until the child steps are evaluated. Therefore, the parent steps are not skipped.

## **CONCLUSION**

Appellants rely on the Appeal Brief with reference to all other comments made by the Examiner in the Examiner's Answer. Appellants believe the claims are allowable over the cited prior art and that the application is in condition for allowance. Accordingly, Appellants respectfully request the Board of Patent Appeals and Interferences to overturn the rejections set forth in the Final Office Action.

/Lisa L.B. Yociss/

Lisa L.B. Yociss

Reg. No. 36,975

**YEE & ASSOCIATES, P.C.**

PO Box 802333

Dallas, TX 75380

(972) 385-8777